IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

OP.No. 2153 of 2003(F)

PETITIONER:

1. JOSEPH, AGED 51,
S/O. ANTONY, KAPPITHAN PARAMBU,
NAYARAMBALAM, ERNAKULAM DIST.

2. KISHORE, AGED 39,
S/O. LATE SREEDHARAN, PUTHUMANA HOUSE,
NAYARAMBALAM.

BY ADV. SRI.K.S.MADHUSOODANAN
SRI.T.N.SURESH

RESPONDENTS:

1. NAYARAMBALAM GRAMA PANCHAYATH,
NAYARAMBALAM, REP. BY SECRETARY.

2. DIST. PANCHAYATH, ERNAKULAM,
REP. BY SECRETARY.

3. UNION OF INDIA,
REP. BY PRINCIPAL SECRETARY,
MINISTRY OF ENVIRONMENT AND FOREST,
`PARYAVARAN BHAVAN' C.G.O. COMPLEX,
LODI ROAD, NEW DELHI-110 003.

4. STATE OF KERALA TO BE REP.BY
CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

5. KERALA COASTAL ZONE MANAGEMENT AUTHORITY
REP.BY CHAIRMAN, SCIENCE TECHNOLOGY AND
ENVIRONMENT COMMITTEE (STEC) AND EX-OFFICIO
PRINCIPAL SECRETARY, SCIENCE TECHNOLOGY AND
ENVIRONMENT DEPARTMENT (STED) GOVERNMENT,
SASTHRA BHAVAN, THIRUVANANTHAPURAM.

BY ADV. SRI.K.L.JOSEPH
SRI.M.K.SUMOD, ADDL.CGSC
SRI.C.A.CHACKO, SRI. AJITH KRISHNAN, ADDL.CGSC
ADV. SHRI. JOHN VARGHESE, ASST. SG.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 15/03/2007, ALONG WITH OP NO. 3266 OF 2003 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.No. 2153/2003

ORDER ON CMP 3853/2003 IN O.P.No. 2153/2003

DISMISSED.

15/03/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

ORDER ON I.A.No 314/2003 IN O.P.No. 2153/2003

DISMISSED.

15/03/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF TAX RECEIPT OF THE 1ST PETITIONER.

P1(a): COPY OF TAX RECEIPT OF THE 2ND PETITIONER.

P2 : COPY OF RELEVANT PAGE OF KERALA FISHERMEN WELFARE FUND BOARD WITH MEMBERSHIP NO. 8/712 OF THE 1ST PETITIONER.

P2(a): COPY OF RELEVANT PAGE OF KERALA FISHERMEN WELFARE FUND BOARD WITH MEMBER SHIP NO. 1102 OF the 2ND PETITIONER.

P3 : COPY OF THE NOTICE ISSUED TO THE 1ST PETITIONER BY THE 1ST RESPONDENT DATED 06/01/2003.

P3(a): COPY OF THE NOTICE ISSUED TO THE 2ND PETITIONER BY THE 1ST RESPONDENT DATED 06/01/2003.

P4 : COPY OF THE INTERIM ORDER NO. 57931/2002 IN O.P.No. 34231/2002 OF THE HON'BLE HIGH COURT.

P5 : COPY OF NOTIFICATION ISSUED BY THE 2ND RESPONDENT DATED 19/2/1991.

P6 : COPY OF THE ORDER DATED 04/01/2002 ISSUED BY THE 4TH RESPONDENT.

P7 : COPY OF THE ORDER IN CMP 5766/2003 IN O.P.No. 3266/2003 DATED 02/04/2003.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. Nos. 2153 F & 3266 L of 2003

Dated, this the 15th day of March, 2007

J U D G M E N T

Since the issue raised is covered vide judgment of this Court in OP No. 34231 of 2002 dated 16/12/2005, these original petitions are disposed of following the above judgment with same directions, observations and findings as in that judgment.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg